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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,842	08/06/2003	Tsutomu Furuyama	108421-00077	6776

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EXAMINER

ENGLISH, PETER C

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 07/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/634,842

Applicant(s)

FURUYAMA ET AL.

Examiner

Peter C. English

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 4,7-9,13 and 16-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,6,10-12,14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20031106; 20040303.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Species A (Figs. 1-3B) in the reply filed on 24 June 2005 is acknowledged.
2. Claims 4, 7-9, 13 and 16-18 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim.

Drawings

3. The drawings are objected to because:
In Fig. 1, the section line labels "A" should be changed to "2A".
In Fig. 3C the cross hatching for the rubber stopper 30 should be corrected. Rubber elements and metal elements should not have identical cross hatching.
In Fig. 6A, the section line labels "B" should be changed to "6B".
In Fig. 6A the cross hatching for the rubber bushing 60 should be corrected. Rubber elements and metal elements should not have identical cross hatching.
4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

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be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The specification is objected to because:
- In paragraph 17, at line 1, "A-A" should be "2A-2A".
- In paragraph 21, at line 3, "B-B" should be "6B-6B".
- Appropriate correction is required.

Claim Objections

6. Claims 1-3, 5, 6, 10-12, 14 and 15 are objected to because:
- In claims 1 and 10, at line 6, "with" should be deleted.
- In claims 5 and 14, at line 2, "caulked to be fixed" is grammatically incorrect. The examiner suggests: in claims 5 and 14, at line 2, delete "to be fixed".
- In claims 6 and 15, at line 2, "fit to be fixed" is grammatically incorrect. The examiner suggests: in claims 6 and 15, at line 2, delete "fit to be".
- In claim 10, at line 11, "at" should be "to".
- Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. Claims 1-3, 5, 6, 10-12, 14 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1 and 10, at lines 3-4, "both side end portions" lacks proper antecedent basis. Further, this term is unclear since "side" normally has a different meaning than "end". The examiner suggests: in claims 1 and 10, at lines 3-4, change "both side" to "opposite"; and in claims 1 and 10, at line 5, change "both side" to "the".

In claims 1 and 10, at line 8, "leading end portions" is inconsistent with the previous definition of the arm portions as extending "backward" (see line 3). Arm portions extending

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“backward” would have “trailing” end portions, not “leading” end portions. The examiner suggests: in claims 1 and 10, at lines 8 and 9, delete “leading”.

In claim 1, at line 13, “the bush” is indefinite because more than one bush has been previously recited (see line 10). The examiner suggests: at line 13, change “bush” to “bushes”.

In claim 2, at line 1, “the stoppers” lacks proper antecedent basis. Note that claim 1 recites only one “stopper”.

In claim 2, at line 2, “both sides” lacks proper antecedent basis. The examiner suggests: at line 2, change “both” to “opposite”.

In claims 3, 5 and 6, at line 1, “the stopper” is indefinite because more than one stopper has been previously recited (see claim 2, line 1). The examiner suggests: in claims 3, 5 and 6, at line 1, change “stopper has” to “stoppers have”; and in claims 5 and 6, at line 2, change “is” to “are”.

In claims 5 and 6, at line 2, “the straight portion” is indefinite because more than one straight portion has been previously recited (see claim 1, line 5).

Claim 10 is indefinite because the limitations recited at lines 2-10 are inconsistent with the preamble, which recites “A method...comprising:”. No method steps/limitations are recited at lines 2-10. Further, claims 11, 12, 14 and 15 are indefinite for the same reason.

In claim 10, at lines 11-12, “the straight portion” is indefinite because more than one straight portion has been previously recited (see line 5). The examiner suggests: at line 12, insert “respective” before “straight”.

In claim 10, at line 13, “the bush” is indefinite because more than one bush has been previously recited (see line 10). The examiner suggests: at line 13, insert “respective” before “bush”.

In claim 10, at line 14, “one straight portion” is indefinite because it is unclear what the relationship is between this “one straight portion” and the “straight portions” previously recited at line 5.

In claim 10, at line 15, “a bush” is indefinite because it is unclear what the relationship is between this “bush” and the “bushes” previously recited at line 10.

In claim 10, at line 16, “the other straight portion” lacks proper antecedent basis. The examiner suggests: at line 16, change “the other” to “another of the”.

In claim 10, at line 16, "another bush" is indefinite because it is unclear what the relationship is between this "bush" and the "bushes" previously recited at line 10.

In claim 11, at line 2, "the stoppers" lacks proper antecedent basis. Note that claim 10 recites only one "stopper".

In claim 11, at line 2, "both sides" lacks proper antecedent basis. The examiner suggests: at line 2, change "both" to "opposite".

In claims 12, 14 and 15, at line 2, "the stopper" is indefinite because more than one stopper has been previously recited (see claim 11, line 2). The examiner suggests: in claims 12, 14 and 15, at line 2, change "stopper has" to "stoppers have"; and in claims 14 and 15, at line 2, change "is" to "are".

In claims 14 and 15, at lines 2-3, "the straight portion" is indefinite because more than one straight portion has been previously recited (see claim 10, line 5).

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-3, 5, 6, 10-12, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Orihashi (JP 11-210713). Orihashi discloses a stabilizer bar 1 having arm portions (see Fig. 1) extending forwardly or rearwardly from a central torsion portion (see Fig. 1). Bushings 5 and clamps 4 secure straight portions (see Fig. 1) of the stabilizer bar 1 to a vehicle. The straight portions extend parallel to the central torsion portion (see Fig. 1) and are therefore considered to extend "along with an axial direction thereof". End portions 1a of the arm portions are also secured to a vehicle. Stops 10 are provided on opposite sides of the bushings 5 and clamps 4. Due to the position of the stops 10 relative to the bushings 5 and clamps 4 (see Fig. 1), the straight portions of the stabilizer bar 1 are prevented from moving laterally more than a predetermined distance. As shown in Fig. 3, the stops 10 are annular. As shown in Fig. 2, portions 11, 12 of the stops 10 have a "C" or "U" shape.

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Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fader et al. teaches stops provided on a stabilizer bar.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter C. English whose telephone number is 571-272-6671. The examiner can normally be reached on Monday through Thursday (7:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Peter C. English
Primary Examiner
Art Unit 3616
7/20/05

pe
20 July 2005